

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

WINDSTREAM, Corporation,
WINDSTREAM NEBRASKA, Inc.,
WINDSTREAM SYSTEMS OF THE
MIDWEST, INC., and WINDSTREAM
BENEFITS COMMITTEE,

Plaintiffs,

v.

COMMUNICATIONS WORKERS OF
AMERICAN UNION LOCAL NO. 7470,
ROBERT BERGGREN, Individually and as
a Representative of Persons Similarly
Situated, LAURIE BAXTER, NEIL
BRAUCH, LARRY CHUBB, VIRGINIA
DANCZAK, KENNETH DARBY, ROY
EDMONDS, DIANE GIEBELHAUS,
KENNETH GRAHAM, BONNIE HATRA,
HOWARD HIGHT, JUDY HIGHT,
LONNIE HUSING, EDWARD JUNGCK,
ERVIN MATHER, ROBERT SWAILS,
MARY WADE, and DALE WEAVER,

Defendants.

4:08CV3173

ORDER PREPARATORY TO HEARING
ON INDIVIDUAL DEFENDANTS'
REQUEST FOR PRELIMINARY
INJUNCTION

During a telephone conversation today with the plaintiffs' counsel, Richard S. Krumholz; the defendant Communication Workers of American Union Local No. 7470's counsel, Richard Rosenblatt; and counsel for the individual defendants, David A. Domina, we discussed preparations for a hearing on the Individual Defendants' Request for Preliminary Injunction. Consistent with conclusions reached,

IT IS ORDERED that:

1. a hearing on the Request for Preliminary Injunction will be held on December 15, 2008, commencing at 9:00 a.m.; the individual defendants will have 3 1/4 hours to offer their evidence, to cross-examine any live witnesses, to rebut the plaintiffs' evidence, and to argue their position;

2. the plaintiffs shall have 3 1/4 hours to offer their evidence, to cross-examine any live witnesses, to rebut the individual defendants' evidence, and to argue their position;

3. no depositions shall be taken prior to the hearing;

4. a maximum of five interrogatories, five requests for production of documents and five requests for admissions may be served no later than 5:00 p.m. on Thursday, December 4, 2008;

5. responses to discovery requests set out in paragraph 4 shall be served no later than 5:00 p.m. on Tuesday, December 9, 2008; and

6. briefs will be filed and served by each party no later than 5:00 p.m. on Thursday, December 11, 2008; responses shall be served no later than 5:00 p.m. on Friday, December 12.

Dated December 2, 2008.

BY THE COURT

s/ Warren K. Urbom
United States Senior District Judge